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INFO RUCNASE/ASEAN MEMBER COLLECTIVE

UNCLAS SECTION 01 OF 02 SINGAPORE 000114

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E.O. 12958: N/A  
TAGS: [KCRM](#) [PHUM](#) [PGOV](#) [KWMN](#) [PREL](#) [SN](#)  
SUBJECT: ANTI-TIP PROVISIONS GO INTO EFFECT ON FEBRUARY 1

REF: A. 07 SINGAPORE 2254  
[1](#)B. 07 SINGAPORE 1314

[1](#)1. (U) On February 1, the Penal Code (Amendment) Act 2007 will come into operation. The amendments include three important provisions to combat trafficking in persons (TIP) by criminalizing: commercial sex with a minor under 18 years old, commercial sex by any Singaporean citizen or permanent resident with a minor under 18 years old outside of Singapore, and organizing or arranging tours outside Singapore for commercial sex with a minor under 18 years old. (See para 3 for full text of the anti-TIP provisions.) The comprehensive revision of the Penal Code was delayed for reasons unrelated to the anti-TIP provisions, primarily a lengthy debate over retaining a ban on sex between men (Ref A).

[1](#)2. (SBU) Comment: In the 2007 TIP Report, Singapore was downgraded from Tier 1 to Tier 2 principally because prostitution was legal for 16 and 17 year olds (Ref B). With these new anti-TIP provisions, the GOS has taken an important step in resolving this gap in its legislation and bringing it up to international standards. End Comment.

[1](#)3. (U) Begin Text of Anti-TIP Provisions from the Penal Code (Amendment) Act 2007:

Commercial sex with minor under 18  
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376B.--(1) Any person who obtains for consideration the sexual services of a person, who is under 18 years of age, shall be punished with imprisonment for a term which may extend to 7 years, or with fine, or with both.

(2) Any person who communicates with another person for the purpose of obtaining for consideration, the sexual services of a person who is under 18 years of age, shall be punished with imprisonment for a term which may extend to 2 years, or with fine, or with both.

(3) No person shall be guilty of an offence under this section for any sexual services obtained from that person's spouse.

(4) In this section, "sexual services" means any sexual services involving --

(a) sexual penetration of the vagina or anus, as the case may be, of a person by a part of another person's body (other than the penis) or by anything else; or

(b) penetration of the vagina, anus or mouth, as the case may be, of a person by a man's penis.

Commercial sex with a minor under 18 outside Singapore  
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376C.--(1) Any person, being a citizen or a permanent resident of Singapore, who does, outside of Singapore, any act that would, if done in Singapore, constitute an offence under Section 376B, shall be guilty of an offence.

(2) A person who is guilty of an offence under this section shall be liable to the same punishment to which he would have been liable had he been convicted of an offence under section 376B.

Tour outside Singapore for commercial sex with minor under 18  
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376D.--(1) Any person who --

(a) makes or organises any travel arrangements for or on behalf of any other person with the intention of facilitating the commission by that other person of an offence under section 376C, whether or not such an offence is actually committed by that other person;

(b) transports any person to a place outside Singapore with the intention of facilitating the commission by that other person of an offence under section 376C, whether or not such an offence is actually committed by that other person; or

(c) prints, publishes or distributes any information that is intended to promote conduct that would constitute an offence under section 376C, or to assist any other person to engage in such conduct,

shall be guilty of an offence.

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(2) For the purposes of subsection (1)(c), the publication of information means publication of information by any means, whether by written, electronic, or other form of communication.

(3) A person who is guilty of an offence under this section shall be punished with imprisonment for a term which may extend to 10 years, or with fine, or with both.

End Text of Anti-TIP Provisions.

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